



BOARD OF ZONING ADJUSTMENTS

Final Agenda

March 14, 2016

MEETING INFORMATION

Location

City Council Chambers

1st Floor, City Hall
1300 Perdido Street
New Orleans, Louisiana

Time

10:00 a.m.

Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Thomas McCall Screen

Jaime Ramiro Diaz

Alfonso Gonzalez II

Myra Bercy

Mary Harper Malone

The general public cannot speak
with the members personally.

The Board of Zoning Adjustments consists of seven citizen members appointed by the Mayor and approved by the City Council. The City Charter grants the Board the power to permit exceptions to or variations from the City's zoning regulations and to hear decision appeals from the Director of the Department of Safety and Permits in accordance with the principles, conditions, and procedures set forth in Article 14 of the City's Comprehensive Zoning Ordinance. The decision made by the Board will be provided in the form of a resolution. The resolution should be produced by **March 24, 2016**.

General Rules of Order

Robert's Rules of Order govern the conduct of the meeting. Any member of the public may speak on any matter before the Board. If you wish to appear before the Board, please fill out a Speaker Card and place it in the Lucite box in the far wall in the Council Chambers. When you are recognized by the Chairperson, state your name and address and speak directly into the microphone.

Appeals

Any person or persons, or any officer, department, commission, board, bureau, or any other agency of the City of New Orleans jointly or singularly aggrieved by any decision of the Board of Zoning Adjustments may present to the Civil District Court of the Parish of Orleans, within thirty (30) days after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

- A. Call to Order, Roll Call, Adoption of Minutes, Communications and Reading of Hearing Rules
- B. BZA Dockets – Former Comprehensive Zoning Ordinance¹ - Unfinished Business

ITEM 1 – Docket Number: 081-15 **(WILL NOT BE HEARD UNTIL AFTER 11 AM)**
Applicant or Agent: Harry Baker Smith Architects, 515 Toulouse, L.L.C.,
Property Location: 515-517 Toulouse Street & 516 Wilkinson **Zip:** 70130
Bounding Streets: Toulouse St., Decatur St., Chartres St., & Wilkinson St.
Former Zoning: VCC-2 Vieux Carré Commercial District
Current Zoning: VCC-2 Vieux Carré Commercial District
Historic District: N/A **Planning District:** 1b
Existing Use: Vacant Mixed-Use **Square Number:** 26
Proposed Use: Commercial/Residential (25 units) **Lot Number:** 10, 11, 12, 16, B, A
Project Planner: Dubravka Gilic (dgilic@nola.gov)

Request Citation: This request is for a variance from the provisions of Article 8, Section 8.5.7 (Table 8-D) of the former Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of an existing building to a mixed-use structure with excessive height.

Requested Waiver:

Section 8.5.7 (Table 8.D) – Maximum Building Height

Required: 50 feet Proposed: 53 feet Waiver: 3 feet



¹ The former Comprehensive Zoning Ordinance (CZO) was rendered ineffective as of August 12, 2015 with the adoption of a new Comprehensive Zoning Ordinance (CZO), however complete building applications prior to the adoption of the new CZO require zoning review and regulation under the former CZO.

ITEM 2 – Docket Number: 157-15

Applicant or Agent: Lawrence J. Springer, John F. Wheelock, Jr. and Melissa G. Wheelock
Property Location: 2031 State Street **Zip:** 70118
Bounding Streets: State St., Feret St., Richmond Pl., & Loyola Av.
Former Zoning: RS-2 Single-Family Residential District
Current Zoning: HU-RS Historic Urban Single-Family Residential District
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** Bloomingdale
Proposed Use: Single-Family Residence **Lot Number:** B
Project Planner: Danica Adams (dcadams@nola.gov)

Request Citation: This request is for variances from the provisions of Article 15, Section 15.2.3, and Article 15, Section 15.6.6 of the former Comprehensive Zoning Ordinance (CZO).

Request: This request is to permit two (2) parking spaces in the front yard and excessive paving of the required front yard area. **(AFTER THE FACT)**

Requested Waivers:

Section 15.2.3 – Parking in Front Yards

Required: 0 Spaces Provided: 2 Spaces Waiver: 2 Spaces

Section 15.6.6 – Limitation of Pavement of Required Front Yard Areas

Required: ≤ 40% Provided: 51% (540 sq. ft.) Waiver: 11% (120 sq. ft.)



C. BZA Dockets – Current Comprehensive Zoning Ordinance² - Unfinished Business

ITEM 3 – Docket Number: 195-15

WITHDRAWN

Applicant or Agent: Governor House of New Orleans, LLC, Richard Choate
Property Location: 1630 Canal Street **Zip:**
Bounding Streets: Canal St., S. Claiborne Ave., Cleveland Ave., & S. Robertson St.
Zoning District: CBD-7 Bio-Science District
Historic District: N/A **Planning District:** 1a
Existing Use: Hotel/Motel **Square Number:** 404
Proposed Use: Hotel/Motel **Lot Number:** A-1
Project Planner: Brittany DesRocher (bbdesrocher@nola.gov)

Request Citation: This request is for variances from the provisions of Article 22, Section 22.10.B.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the renovation of a hotel with insufficient loading space width and vertical clearance.

Requested Waivers:

Section 22.10.B.1 –Dimensions-Width

Required: 12' Provided: 11'-2" Waiver: 10"

Section 22.10.B.1 –Dimensions-Vertical Clearance

Required: 14' Provided: 10'-4" Waiver: 3'-8"



² The new Comprehensive Zoning Ordinance became effective August 12, 2015.

Item 4 – Docket Number 006-16

Applicant or Agent: Kimberly Maranto, Will Maranto
Property Location: 1442 North Roman Street **Zip:** 70116
Bounding Streets: N. Roman St., Kerlerec St., N. Derbigny St., & Columbus St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: Esplanade Ridge **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 762
Proposed Use: Single-Family Residence **Lot Number:** 15-A
Project Planner: Dubravka Gilic (dgilic@nola.gov)

Request Citation: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) and Section 21.7 (Table 21.2) of the Comprehensive Zoning Ordinance.

Request: This request is to permit the new construction of a single-family residence on a vacant lot with insufficient rear yard depth, insufficient permeable open space, and excessive balcony encroachment into the rear yard area.

Requested Waivers:

Section 11.3.A.1 (Table 11-2A) - Rear Yard

Required: 13.8' Provided: 9.8' Waiver: 4'

Section 21.7 (Table 21.2) - Balcony Encroachment into Required Rear Yard (Maximum)

Permitted: 4' Provided: 6' Waiver: 2'

Section 11.3.A.1 (Table 11-2A) - Minimum Permeable Open Space (% of Lot area)

Required: 30% Provided: 8.7% Waiver: 21.3%



ITEM 5 – Docket Number: 008-16

WITHDRAWN

Applicant or Agent: Byron Mouton, Alex and Arwen Podesta
Property Location: 622 South Alexander Street **Zip:** 70119
Bounding Streets: S. Alexander St., D’Hemecourt St., S. Hennessey St., & Ulloa St.
Zoning District: HU-RD2 Two-Family Residential District
Historic District: N/A **Planning District:** 4
Existing Use: Single-Family Residence **Square Number:** 796
Proposed Use: Single-Family Residence **Lot Number:** 13
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request Citation: This request is for variances from the provisions of Article 11, Section 11.3.A.2a and Section 11.3.B.3a of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a single-family residence with an excessive front yard setback and parking in the front yard.

Requested Waivers:

Section 11.3.A.2a – Front Yard Build-To Line Requirement

Required: < 20’ Provided: 123’ Waiver: 103’

Section 11.3.B.3a – Parking Areas in Front Yards

Required: Prohibited Provided: 4 Spaces Waiver: 4 Spaces



ITEM 6 – Docket Number: 012-16

WITHDRAWN

Applicant or Agent: Kevin J O’Shaughnessy, Matthew Emerson
Property Location: 929 Filmore Avenue **Zip:** 70124
Bounding Streets: Filmore Ave., Argonne St., Chapelle St., & Marshall Foch St.
Zoning District: S-LRS1 Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Vacant Lot **Square Number:** 126
Proposed Use: Single-Family Residence **Lot Number:** G
Project Planner: Larry Massey (lwmassey@nola.gov)

Request Citation: This request is for variances from the provisions of Article 21, Section 21.6.T.1 and Section 21.6.EE.1 of the Comprehensive Zoning Ordinance.

Request: This request is to permit the construction of a single-family residence with a swimming pool and mechanical equipment in the required corner side yard setback.

Requested Waivers

Section 21.6.T – Mechanical Equipment

Required: No mechanical equipment with a required corner side yard setback

Provided: Mechanical equipment within a required corner side yard setback

Waiver: Mechanical equipment within a required corner side yard setback

Section 21.6.EE.1 – Swimming Pools – Location

Required: No swimming pools within a required corner side yard setback

Provided: Swimming pool in the required corner side yard setback

Waiver: Swimming pool in the required corner side yard setback



ITEM 7 – Docket Number: 013-16

Applicant or Agent: Mathes Brierre Architects, Downtown Star, LLC
Property Location: 1535-1537 Canal Street **Zip:** 70112
Bounding Streets: Canal St., N. Robertson St., N. Villere St., Iberville St.
Zoning District: CBD-7 Bio-Science District; Multi-Modal/Pedestrian Corridor District;
 EC- Enhancement Corridor District
Historic District: N/A **Planning District:** 1a
Existing Use: Vacant Lot **Square Number:** 187
Proposed Use: Multi-Family Residential **Lot Number:** N/A
Project Planner: Dubravka Gilic (dgilic@nola.gov)

Request Citation: This request is for variances from the provisions of Article 17, Section 17.3.B.1 and Section 17.3.B.2 and Article 22, Section 22.7 of the Comprehensive Zoning Ordinance.

Request: This is a request to construct a multi-family development in the CBD-7 District and within the Multi-Modal/Pedestrian Corridor of Canal Street with insufficient floor area designated for the required commercial uses; insufficient Canal Street building frontage designated for the required commercial uses, insufficient direct public access to the required commercial uses, and with insufficient off- street loading.

Requested Waivers:

Section 17.3.B.1(a) - Required Uses for Ground Floors of Structures with Frontage on Multi-Modal/Pedestrian Corridors (Canal Street)

Required: 25% of gross floor area Provided: 0% Waiver: 25%

Section 17.3.B.1(b) - Required Direct Public Access to the Ground Floors Uses with Frontage on Multi-Modal/Pedestrian Corridors (Canal Street)

Required: Direct access Provided: none Waiver: Direct access

Section 17.3.B.2(a) - Required Percentage of Canal Street Frontage to be Used by the Required Commercial Uses

Required: 70% Provided: 0% Waiver: 70%

Section 22.7 -Required Off-Street Loading Spaces

Required: 3 spaces Provided: 1 space Waiver: 2 space



D. BZA Dockets – Current Comprehensive Zoning Ordinance³ - New Business

ITEM 8 – Docket Number: 015-16

Applicant or Agent: Michelle Gobert
Property Location: 1901-1923 Poydras Street **Zip:** 70112
Bounding Streets: Poydras St., S. Roman St., Perdido St., Bolivar St.
Zoning District: HI Heavy Industrial District
Historic District: N/A **Planning District:** 4
Existing Use: Manufacturing, Light **Square Number:** 463
Proposed Use: Manufacturing, Light **Lot Number:** 1-6
Project Planner: Cameron Bonnett (cdbonnett@nola.gov)

Request: This is a request for variances from the provisions of Article 24, Section 24.14.B.1 *Allowed Locations (Table 24-3)* and Article 24, Section 24.14.C *Billboard Standards* of the Comprehensive Zoning Ordinance.

Request: This request is to permit a billboard within one thousand feet (1,000') of another billboard and to permit an electronic billboard within one thousand feet (1,000') of another electronic billboard.

Requested Waivers:

Section 24.14.B.1 – Allowed Locations

Required: 1000' Provided: 280' Waiver: 720'

Section 24.14.C. – Billboard Standards

Required: 1000' Provided: 280' Waiver: 720'



³ The new Comprehensive Zoning Ordinance became effective August 12, 2015.

ITEM 9 – Docket Number: 016-16

Applicant or Agent: Thomas Desormeaux
Property Location: 6155-6157 Catina Street **Zip:** 70124
Bounding Streets: Catina St., French St., Milne St., & Ringold St.
Zoning District: S-LRS1 Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Vacant Lot **Square Number:** 280
Proposed Use: Single-Family Residence **Lot Number:** C
Project Planner: Valerie McMillan (vamcmillan@nola.gov)

Request: This is a request for a variance from the provisions of Article 13, Section 13.3.A.1 (Table 3-2) of the Comprehensive Zoning Ordinance.

Request: This is a request to permit a single-family residence with insufficient front yard depth.

Requested Waiver:**Section 13.3.A.1 (Table 3-2) – Front Yard Depth**

Required: 20' Provided: 13' Waiver: 7'

**ITEM 10 – Docket Number: 017-16**

Applicant or Agent: The City Of New Orleans, Alton O. Davis
Property Location: 8311 Forshey Street, 3300 Dante Street **Zip:** 70118
Bounding Streets: Forshey St., Joilet St., Olive St., & Carrollton Ave.
Zoning District: OS-N Neighborhood Open Space District HU-B1A
Historic District: N/A **Planning District:** 4
Existing Use: Parks and Playgrounds **Square Number:** 507
Proposed Use: Parks and Playgrounds **Lot Number:**
Project Planner: Tyler Antrup (tjantrup@nola.gov)

Request: This is a request for a variance from the provisions of Article 7, Section 7.3 (Table 7-2) of the Comprehensive Zoning Ordinance.

Request: This is a request to permit the reconstruction of a concession stand with insufficient minimum front yard setback.

Requested Waiver:**Section 7.3 (Table 7-2) – Front Yard Setback**

Required: 15' Provided: 0' Waiver: 15'



ITEM 11 – Docket Number: 018-16

Applicant or Agent: Stephen W. Rochon, Shirley A. Rochon
Property Location: 4818 Camp Street **Zip:** 70115
Bounding Streets: Camp St., Bordeaux St., Lyons St., & Magazine St.
Zoning District: HU-RD2 Two-Family Residential District N/A
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 236
Proposed Use: Single-Family Residence **Lot Number:** 5, 6 and pt. 7
Project Planner: Danica Adams (dcadams@nola.gov)

Request: This is a request for a variance from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance.

Request: This is a request to permit the addition of a covered rear porch onto an existing single-family residence, resulting in insufficient minimum rear yard setback.

Requested Waiver:

Section 11.3.A.1 (Table 11-2A) – Rear Yard Setback

Required: 15 feet Provided: 10 feet Waiver: 5 feet

E. Minor Map Adjustment – New Business

ITEM 12 – Docket Number: 019-16

Applicant or Agent: Cheatau De Notre Dame, Denechaud & Denechaud, LLC
Property Location: 29321 Burdette Street **Zip:** 70125
Bounding Streets: S. Carrollton Ave., Fig St., Burdette St., Walmsley Ave.
Zoning District: EC Educational Campus District, MS Medical Service District
Historic District: N/A **Planning District:** 3
Existing Use: Residential Care Facility **Square Number:** 422, -2
Proposed Use: Residential Care Facility **Lot Number:** C1A
Project Planner: Nicholas Kindel (njkindel@nola.gov)

Request: This is a request for a minor map adjustment pursuant to Article 4, Section 4.7 of the Comprehensive Zoning Ordinance.

Request: This is a request for a minor map adjustment to the Official Zoning Map to change the zoning for an area measuring approximately 18.6’ in width, 126.8’ in depth, 2,268 sq. ft. in area of proposed Lot C1A from EC Educational Campus District to MS Medical Service District in conjunction with Subdivision 155-15.

F. Director of Safety and Permits Decision Appeals – Unfinished Business

ITEM 14 – Docket Number: 014-16

(WILL NOT BE HEARD UNTIL AFTER 11 AM)

Applicant or Agent: Justin B. Schmidt, 515 Toulouse LLC
Property Location: 515-517 Toulouse Street & 516 **Zip:** 70130
Bounding Streets: Toulouse St., Decatur St., Chartres St., & Wilkinson St.
Zoning District: VCC-2 Vieux Carré Commercial District
Historic District: VCC-2 Vieux Carré Commercial District **Planning District:** Planning
Existing Use: Vacant Building **Square Number:** 26
Proposed Use: Mixed-Use **Lot Number:** 10, 11, 12, 16, B, A

Request Citation: This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

Request: This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the determination that non-conforming building height cannot be extended to buildings on adjacent lots through resubdivision.

G. Adjournment